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March 4, 2010

VIA FACSIMILE (718) 613-2386 and ECF

Hon. Allyne R. Ross
United States District Court
225 Cadman Plaza East
Brooklyn, NY 11201

**Re: In Re Rule 45 Subpoena Issued To Cablevision Systems Corporation
Regarding IP Address 69.120.35.31 (Misc. 08-347)**

Dear Judge Ross :

We represent anonymous non-party movant John Doe in the above-referenced proceeding, and write in response to the letter from Prospect Capital Corporation ("Prospect") to the Court dated March 3, 2010 requesting oral argument in connection with Prospect's Objection to the Report and Recommendation of Magistrate Judge Marilyn D. Go.

As documented at some length in Doe's written response to Prospect's Objection, this proceeding, and one before it in California, have already cost Doe – a private individual – a tremendous amount of money, funds that Doe was forced to expend merely to protect his identity and his First Amendment right to comment anonymously. The parties fully briefed this matter in the summer of 2008, and Prospect did not seek oral argument on the motion at that time. Prospect has raised no new issues in its Objection (indeed, as noted in Doe's written response, Prospect's Objection makes it even more clear that there is no valid basis for the subpoena), nor does it explain in its letter why it belatedly seeks oral argument at this juncture. One cannot help but suspect that the motive is, in large part, to force Doe to expend yet more money.

Doe respectfully requests that the request for oral argument be denied.

Sincerely yours,

A handwritten signature of Lance Koonce, consisting of stylized initials 'LK' followed by a long horizontal stroke.

Lance Koonce

LHK/lp

cc: Christopher Schueller, Esq. via fax: (412) 562-1041

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